

Remarks

This paper is in response to the Office Action mailed April 30, 2004 in connection with the above-identified patent application. In that Action, claims 1-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,315,709 to Alston, Jr., et al. Also, the finality of the previous Office Action was withdrawn, but the April 30, 2004 Action was made final.

A. The Finality of the Office Action is Improper:

It is respectfully submitted that the designation of the Office Action mailed April 30, 2004 as "final" was improper. More particularly, the Examiner stated in the record that:

Applicant's amendment necessitated new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a).

Applicant respectfully directs the Examiner's attention to the text of M.P.E.P. § 706.07(a). In rev. 1, February 2003 at page 700-73, M.P.E.P. § 706.07(a) indicates that:

[u]nder present practice, second or any subsequent actions on the merits shall be final, except where the Examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an Information Disclosure Statement filed during the period set forth in 37 C.F.R. § 1.97(c) with the fee set forth in 37 C.F.R. § 1.17(p).

...

[f]urthermore, a second or any subsequent action on the merits in any application or patent undergoing reexamination proceedings will not be made final if it includes a rejection, on newly cited art,

...

of any claim not amended by applicant or patent owner in spite of the fact that other claims may have been amended to require newly cited art.

Applicant respectfully submits that this new ground of rejection set out in the Action of April 30, 2004 was not necessitated by applicant's amendment of the claims because, as the Examiner can see, the claims were not amended in the previous Response mailed by applicant on April 9, 2004. Also, applicant did not file an Information Disclosure Statement.

Accordingly, therefore, M.P.E.P. § 706.07(a) explicitly contradicts the Examiner's actions in the Office Action and statements made in the record.

It is therefore respectfully requested that the finality of the previous Action be withdrawn.

B. The Present Invention:

The present system provides a mechanism which provides users with the ability to determine the lineage of warehouse data by traversing a transformation model. The subject system provides users with a tree structure that represents the data the users wish to view. The system allows users to select any data that they want to access which can be anywhere on the tree. If the users have questions about how the data they are looking at was derived, the users can navigate the information catalog via the tree structure to see any "transformations" that were applied to generate the data. From this point, the users can continue with their data analysis or continue to follow the lineage by looking at the metadata about the source data. The present system allows users to drill from the target warehouse data back to the original source data and learn how the target warehouse data was derived.

Accordingly, the present system is especially advantageous in that it is used to describe a process applied to data. More particularly, the present system describes the transformation of data as it moves in a data warehouse. Moreover, the system defines the lineage of data. That is, the system indicates to the user what the sources for the warehouse were and/or the modification(s) that resulted in the current state of the data and enables the user to navigate the data.

C. U.S. Patent No. 5,315,709 to Alston, Jr., et al.:

The Alston patent teaches a system and apparatus for transforming objects in a first data model (source design objects) to objects in a second data model (target design objects) and synchronizing the two data models. In the preferred embodiment described, the first data model is an extended entity model and the second data model is a relational data model. In the Alston patent, the objects in the first and second data models are the same data, merely transformed. Further in Alston, the only action described with regard to the source design objects and target design objects is a synchronizing process for use between the two data models.

All Claims are in Condition for Allowance:

Referring to the Office Action in greater detail, all pending claims were rejected as being anticipated by the Alston patent. More particularly, the Examiner took the position in the record that "Alston discloses a computer system with means/methods/computer program product to perform the functions as claimed by applicant comprising:

- a) a computer having a memory, and a data storage device coupled thereto that stores data;
- b) one or more computer programs, performed by the computer, for, in response to receiving user input, selecting a target object in an information catalog and providing information about a source data from which the target object was derived via a transformation performed on contents of the source data;
- c) a plurality of objects including a target object wherein the target object was derived from one or more transformations of one or more sources of data;
- d) a transformation lineage system which stores transformation lineage information for the target object, the transformation lineage information associating the target object with the one or more transformations and identifying the one or more data sources;

e) a user interface for receiving user input for selecting one of the plurality of objects; wherein, the user interface configure (sic) to display the transformation lineage information in response to receiving user selected input."

For the Examiner's convenience, applicant has reproduced independent claims 1 and 13 below:

1. A method of navigating data stored on a data storage device connected to a computer, comprising the steps of:

in response to receiving user input, selecting a target object in an information catalog; and

providing information about a source from which the target object was derived. (emphasis added)

13. An article of manufacture comprising a program storage medium readable by a computer and embodying one or more instructions executable by the computer to perform method steps for navigating data stored on a data storage device, the method comprising the steps of:

in response to receiving user input, selecting a target object in an information catalog; and

providing information about a source from which the target object was derived. (emphasis added)

Clearly, the rejected claims in the instant application explicitly recite and include the limitation of navigating data. None of the rejected claims mention transforming objects from first to second data models and synchronizing the two data models as in Alston. The Examiner has failed to correctly ascertain the scope of the claims and, for this reason alone, a (prima facie) case of anticipation has not been made out. Withdrawal of the rejection is requested.

The Examiner in the rejection implies that navigating data and synchronizing data are substantially the same elements. In fact, the Examiner's position relies upon this equivalence. However, the Examiner has provided no

evidence to substantiate this assertion that navigating data and synchronizing data are the same or obvious variants. As the Examiner is well aware, applicants are required to challenge statements made by the Examiner that are not supported on the record, and failure to do so will be construed as an admission by applicant that the statement is true.

Therefore, in accordance with applicant's duty to challenge such unsupported statements, the Examiner is respectfully requested to cite some further evidence that synchronizing data of two data models is equivalent or substantially the same as navigating data.

Another difference between the pending claims and the art cited by the Examiner is that in the present application, a transformation lineage model provides a mechanism which allows a user to determine the lineage of warehouse data by traversing a transformation model. The system allows users to select any data that they want to access, which can be anywhere on a tree. If the users have questions about how the data they are looking at was derived, the users can navigate the information catalog via the tree structure to see any "transformations" that were applied to generate the data. Further, the Alston patent does not teach providing information about source data from which a target object was derived via a transformation performed on the source data to derive the target object. Only information on the target object is available when the target object is selected.

For at least the above reasons, it is respectfully submitted that the Alston, Jr. '709 patent does not teach, suggest, or fairly disclose the invention recited in the pending claims. A withdrawal of the rejection of those claims over this prior art patent is respectfully requested.

Conclusion

For at least the above reasons, applicant respectfully submits that all pending claims are patentably distinct and unobvious over the reference of record.

Allowance of all pending claims and early notice to that effect is respectfully requested.

Respectfully submitted,

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Date

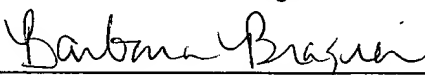
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